IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

FRIDAY, THE 27TH JULY 2007 / 5TH SRAVANA 1929

WP(C).No. 23230 of 2006(M)

PETITIONER:

ALLIANCE GRAIN PRODUCTS (P) LTD.,
PALATHARA, THATTAMALA,
KOLLAM, REPRESENTED BY ITS MANAGER,
SRI.AMEENUDDIN.

BY ADV. SRI.BECHU KURIAN THOMAS
SRI.PAUL JACOB (P)

RESPONDENTS:
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1. KERALA FINANCIAL CORPORATION,
DISTRICT OFFICE,
KOLLAM.

2. THE CHIEF MANAGER,
KERALA FINANCIAL CORPORATION,
DISTRICT OFFICE,
KOLLAM.

3. THE DEPUTY TAHSILDAR (R.R.)
KERALA FINANCIAL CORPORATION,
KOLLAM.

BY ADV. SRI.A.A.ABUL HASSAN, SC, KFC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 27/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 23230/2006 M

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE NOTICE BY THE R2.

EXT.P2. COPY OF THE JUDGMENT OF THIS COURT DT. 19/2/2004 IN WPC NO. 5725/2004.

EXT.P3. COPY OF THE ORDER OF THE R2 RESCHEDULING THE LOAN DT. 5/5/04.

EXT.P4. COPY OF THE STATEMENT OF ACCOUNTS AS ON 31/3/2006 AS RELATING TO THE PETITIONERS LOAN ACCOUNT.

EXT.P5. COPY OF THE LETTER DT. 1/08/2006 AND NUMBERED AS AGP/KFC/04-05.

EXT.P6. COPY OF THE ORDER REJECTING THE PETITIONERS REQUEST FOR ONE TIME SETTLEMENT OF THE LOAN ACCOUNT DT. 8/8/06 AND NUMBERED AS BO/KLM/867/2006.

EXT.P7. COPY OF THE LETTER DT. 14/082006 AND NUMBERED AS AGP/KFC/2006-07.

RESPONDENT'S EXHIBITS

EXT.R1A. COPY OF THE CIRCULAR NO. 66/03 DT. 30/12/03 BY THE KFC.

EXT.R1B. COPY OF THE STATEMENT OF ACCOUNTS AS ON 25/09/06.

True copy

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KURIAN JOSEPH J.

W.P.(C) No.23230 of 2006

Dated 27th July, 2007.

J U D G M E N T

Petitioner approached this Court with certain grievances regarding recovery steps initiated at the instance of the first respondent. Referring to the counter affidavit, learned counsel for respondents 1 and 2 submits that the eligible benefits have already been given to the petitioner. It is also admitted that pursuant to interim order passed by this Court, an amount of Rs.15,39,355/- has already been remitted by the petitioner. Therefore, the writ petition is disposed of as follows :-

In case the petitioner has any dispute with regard to the statement of accounts as furnished in the counter affidavit, petitioner may approach the second respondent within one month from today, in which event, the petitioner shall be permitted to verify the accounts. Thereafter, appropriate orders on the representation shall be passed by the second respondent, within another three months. There shall be no further recovery for the said period of four months.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J.

O.P. NO. OF 200

J U D G M E N T

Dated 27th July, 2007.